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SUBJECT: NIGERIA: 2007-2008 INTERNATIONAL NARCOTICS CONTROL STRATEGY
REPORT (INCSR) PART I, DRUGS AND CHEMICAL CONTROL (AF, WHA)

REF: 07 STATE 136787

[1](#)1. Summary

Nigeria remains a hub of narcotics trafficking and money laundering activity and is still ranked as one of the world's most corrupt countries. Nigerian criminal organizations dominate the African drug trade and transport narcotics to markets in the United States, Europe, Asia, and other parts of Africa. Some of these organizations are also engaged in advance-fee fraud, commonly referred to in Nigeria as "419 Fraud" after a formerly relevant section of the Criminal Code of Nigeria, and other forms of fraud against U.S. citizens and businesses as well as citizens and businesses of other countries. Serious under/unemployment has been a major problem for Nigeria in civilian governments and military governments alike. Abysmal economic conditions for the vast majority of Nigerians contribute significantly to the continuation and expansion of drug trafficking, widespread corruption and other criminal acts. These factors, combined with Nigeria's central location along the major trafficking routes and access to global narcotics markets have provided both an incentive and mechanism for criminal groups to flourish.

[1](#)2. Heroin from Southeast and Southwest Asia, smuggled via Nigeria, accounts for a significant portion of the heroin reaching the United States. Nigerian criminal elements, operating in South America, transship cocaine through Nigeria to Europe, Asia, and Africa. South Africa is a major destination for Nigerian-trafficked cocaine within Africa. Nigerian-grown marijuana is exported to neighboring West African countries and to Europe, but not in significant quantities to the United States. Aside from marijuana, Nigeria does not produce any of the drugs that its nationals traffic. Nigeria is a party to the 1988 UN Drug Convention. End Summary.

[1](#)3. II. Status of Country

Nigeria does not produce precursor chemicals or drugs that have a significant effect on the United States, but it is fully entrenched as a major drug-transit country. In addition, Nigerian criminal elements operate global trafficking/criminal networks, moving cocaine and heroin to major developed country markets.

[1](#)4. Nigerian drug organizations are heavily involved in corollary criminal activities to their prime illicit "business" of drugs. These include document fabrication, illegal immigration, and financial fraud. Their ties to criminals in the United States, Europe, South America, Asia, and South Africa are well documented. Nigerian poly-crime organizations exact significant financial and societal costs, especially among West African states with limited resources for countering these organizations.

[1](#)5. The National Drug Law Enforcement Agency (NDLEA) is the law enforcement agency with sole responsibility for combating narcotics trafficking and drug abuse in Nigeria. In 2007, the NDLEA enjoyed success in securing more resources from the Nigerian national budget

but is still underfunded. The Agency received a total sum of N26.824M (ca. \$220,000 for administrative expenses and N357M (ca. \$3 million) for salaries and benefits. No funds were released for capital projects.

¶16. All law enforcement agencies suffered a loss of focus while the country concentrated on local, state and national elections in April 2007. Cooperation between Nigeria's law enforcement agencies still leaves much to be desired. Although all law enforcement elements are represented at Nigeria's international airports and at its sea ports, joint operations between them are virtually non-existent. A missing ingredient partially explaining the dearth of apprehensions of major traffickers or the absence of consistent interdiction of major shipments of contraband is interagency cooperation. No single law enforcement agency in Nigeria has adequate resources to combat the increasingly sophisticated international criminal networks that operate in and through the country itself; inter-agency cooperation is necessary for success.

¶17. III. Country Actions against Drugs in 2007

Policy Initiatives. Nigeria's counter narcotics policy is based on the National Drug Control Master Plan (NDCMP), which has been in place since 1998. This plan assigns responsibilities to various government ministries and agencies as well as NGOs and other interest groups. In addition, the Master Plan outlines basic resource requirements and timeframes for the completion of objectives. Many of these goals are still unfulfilled.

¶18. NDLEA has 46 field operational commands, seven (7) established Directorates and nine (9) autonomous Units and offices that work together to carry out the drug control mandate of the Agency. Additionally, the recent computerization of the Agency's administrative and accounting statistics ensures greater efficiency and transparency than in the past.

¶19. Law Enforcement Efforts. Established in 1989, the NDLEA works alongside Customs, the State Security Service, the National Agency for Food and Drug Administration and Control (NAFDAC), the Nigerian

Police Force (NPF), and the Nigerian Immigration Service at various ports of entry and throughout the country. The NDLEA's most successful interdictions have taken place at Nigeria's international airports, with the majority of hard drug seizures (e.g. cocaine and heroin) at Lagos' Murtala Mohammed International Airport. Increasing numbers of drug couriers are being apprehended at Abuja International Airport. The agency has successfully apprehended individual drug couriers transiting these airports, but only a few of the major drug traffickers sponsoring these couriers. Efforts similar to the vigorous inspections conducted at Lagos and Abuja international airports are also needed at Nigeria's five major seaports as smugglers change their tactics to avoid detection. NDLEA also emphasizes a public campaign focused on destroying the annual marijuana crop throughout the country.

¶10. Between January and September 2007, Nigerian law enforcement apprehended 3440 narcotics law violator suspects and seized a total of 46,487 kg of various types of illicit drugs summarized thus: Cannabis - 45,937 kg; Cocaine - 259.2 kg; Heroin - 85.9 kg; and Psychotropic substances - 204.5 kg. Indeed, a single seizure of 62.4 kg of heroin at Kano Airport sent from Pakistan in April 2007 is a strong indication that heroin still remains a serious threat to the country. More vigilance is required not only to prevent the importation of cocaine through the borders but also to prevent the importation of heroin through the airports.

¶11. Attempts by the NDLEA to arrest and prosecute major traffickers and their associates often fail in Nigeria's courts, which are subject to intimidation and corruption. Asset seizures from narcotics traffickers and money launderers, while permitted under Nigerian law, have never been systematically utilized as an enforcement tool, but some convicted traffickers have had their assets forfeited over the years. The number of major traffickers penalized remains small. NDLEA has requested that the National Assembly amend the narcotics law to provide a more strict and effective punishment for major traffickers with the minimum sentence being a 5 year jail term and no option of a fine, plus provision for the seizure of a foreign offender's passport.

¶12. Drug-related prosecutions have continued at a steady pace. Special drug courts and a more energetic approach by the NDLEA to prosecute drug traffickers efficiently and successfully have been put in place.

¶13. The NDLEA has assumed a leadership role in drug enforcement in the region. With DEA assistance, the NDLEA created the West African

Joint Operation (WAJO) initiative, bringing together drug enforcement personnel from 15 countries in the region to improve regional cooperation. DEA-assisted WAJO planning conferences have continued to be held successfully. The NDLEA continues expanded counter narcotics cooperation with the police in South Africa, where Nigerian criminal organizations are believed to be responsible for the bulk of drug trafficking.

¶14. Corruption. Corruption has for many years permeated Nigerian society and continues to be a systemic problem in Nigeria's government. Unemployment is very high and civil servants' salaries are low. In addition, actual payment of salaries is frequently months in arrears, compounding the corruption problem. To combat corruption, the Nigerian Government established the Independent Corrupt Practices and Other Related Offences Commission (ICPC) through the Corrupt Practices and other Related Offences Act of ¶2000. The Act prohibits corrupt practices and other related offences, and also provides for punishment for those offenses. Recent high profile investigations and arrests have resulted in cabinet level officials being charged, dismissed from their post and incarcerated while awaiting hearings on corruption charges. None of these actions were for drug-related offenses. USG technical assistance, funded through State/INL and implemented by the U.S. Department of Justice, has continued providing the ICPC with additional training and technical assistance, including a Resident Legal Advisor (RLA) to improve enforcement against corruption. Neither Nigerian policy nor any senior government officials are known to encourage or facilitate the illicit production or distribution of illegal substances or the laundering of proceeds from illegal drug transactions.

¶15. Agreements and Treaties. Nigeria is a party to the 1988 UN Drug Convention, the 1961 UN Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and the 1971 UN Convention on Psychotropic Substances. Nigeria has signed the UN Convention against Transnational Organized Crime, the Protocol against Trafficking in Persons, the Protocol against Smuggling of Migrants, and the Protocol against Trafficking in Illegal Firearms. The 1931 U.S. - UK Extradition Treaty, which was made applicable to Nigeria in 1935, is the legal basis for U.S. extradition requests. The United States and Nigeria also have a Mutual Legal Assistance Treaty (MLAT), which entered into force on January 14, 2003.

¶16. The Government of Nigeria continues to work on a mechanism to process U.S. extradition requests expeditiously while observing due

process under Nigerian law. Currently, a dedicated prosecutorial team handles all U.S. extradition cases before a specifically designated High Court judge. Nigerian law still affords the defendant many options to delay/confuse proceedings, especially interlocutory objection proceedings which allow defendants to raise objections which are litigated first before the main case can proceed. There is one case pending extradition since 2004.

¶17. Cultivation/Production. Cannabis is the only illicit drug produced in any large quantities in Nigeria, and it is cultivated in all 36 states. Major cultivation takes place in central and northern Nigeria and in Delta and Ondo states in the south. Marijuana, or "Indian Hemp" as it is known locally, is sold in Nigeria and exported throughout West Africa and into Europe. To date, there is no evidence of significant marijuana imports from Nigeria into the United States. The NDLEA has continued to pursue an aggressive eradication campaign.

¶18. Drug Flow/Transit. Nigeria is a major staging point for Southeast and Southwest Asian heroin smuggled to Europe and the United States and for South American cocaine trafficked to Europe. While Nigeria remains Africa's drug transit hub, there are indications that the preferred methods of trans-shipment have changed. The NDLEA unit at Lagos' Murtala Mohammed International Airport conducts 100 percent searches of passengers and carry-on baggage. This is extremely significant given the addition of DELTA Airlines direct flights to the U.S. from Lagos that started in December 2007. The enhanced security posture at this airport has prompted some drug traffickers to use Nigerian seaports, concealing large quantities of contraband in shipping containers. They also seemed to have moved to other West African airports and seaports with less stringent security controls.

¶19. Domestic Programs/Demand Reduction. Local production and use of marijuana have been a problem in Nigeria for some time; however, according to the NDLEA and NGOs, the abuse of harder drugs (e.g., cocaine, heroin) seems to be on the rise. Heroin and cocaine are readily available in many of Nigeria's larger cities. (Note: Since

there is no formal tracking system or statistical evidence available, the actual extent of domestic drug abuse in Nigeria is unclear.) The NDLEA continues to expand its counter narcotics clubs at Nigerian universities and distribute counter-narcotics literature. The NDLEA also has instituted a teacher's manual for primary and secondary schools, which offers guidance on teaching students about drug abuse. NDLEA sponsored a nationwide contest between primary and secondary schools with public presentations held at the "UN Day against Drugs" ceremony in 2007. Sophisticated drug treatment is only available from a few private clinics in Nigeria's major cities.

¶20. IV. U.S. Policy Initiatives and Programs

Policy Initiatives. U.S.-Nigerian counter narcotics cooperation focuses on interdiction efforts at major international entry points and on enhancing the professionalism of the NDLEA and other law enforcement agencies. The DEA country office in Nigeria works with the NDLEA Joint Task Force and other operations personnel to help train, coordinate, plan and implement internal and regional interdiction operations. At all levels, USG representatives enjoy excellent access to their counterparts and there is an evident desire on both sides to strengthen these relationships. One option for a high-level law enforcement dialogue which is being explored is a renewal of the U.S.-Nigeria Law Enforcement Working Group which used to meet annually, with each nation alternating as host in its capital. The last meeting of the Group was in 2004.

¶21. The Road Ahead. Federal funding for Nigerian law enforcement agencies and key anti-crime agencies remains insufficient and erratic in disbursement. This affects the planning and consistency of actions on the part of these agencies, giving the impression of lack of commitment and ineffectiveness. Unless the Nigerian Government remedies this situation, very little progress will be made and none sustained. It will require strong and sustained political will and continued international assistance for any Nigerian government to confront these difficult issues and bring about meaningful change.

¶22. The U.S. Government has expanded aid to Nigeria's counter narcotics efforts; anti-drug assistance provided since February 2001 now totals over \$3 million. Although Nigeria does not produce reliable crime statistics, opinions vary on whether public security deteriorated throughout the country in 2007. The police remain grossly mistrusted by the Nigerian population and organized crime groups continue to exploit that mistrust by preying on citizens throughout the country.

¶23. Nigerian police are poorly trained. NDLEA has mandated that all its officers and operatives undergo re-training at the basic level and mid-level before qualifying for promotion under the new promotion scheme.

¶24. The U.S. Government will continue to engage Nigeria on the

issues of counter narcotics, money laundering and other international crimes. The underlying institutional and societal factors that contribute to narcotics-trafficking, money-laundering and other criminal activities in Nigeria are deep-seated and require a comprehensive and collaborative effort at all levels of law enforcement and government. Progress can only be made through Nigeria's own sustained effort and political will, and the continued support of the international community.

SANDERS